

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION**

Lawrence L. Piersol, United States District Judge, Presiding

Courtroom Deputy – DJP
Courtroom – SF#2

Court Reporter – Jill Connelly
Date – October 22, 2012

CIV. 4:04-CV-4200

Donald Moeller

Plaintiff,

vs.

Douglas Weber, Dennis Kaemingk, Does 1-20,

Defendants,

Donna Nichols,

Next Friend of Donald Moeller,

Mark Marshall

Marty Jackley, Paul Swedlund,

Robert Van Norman

TIME HEARING SCHEDULED TO BEGIN: 10:00 AM

TIME:

10:05 AM Enter hearing on Motion for Stay of Execution before the Hon. Lawrence L. Piersol, United States District Judge. Counsel state their appearances for the record. Donald Moeller is also present in Court. Mr. Van Norman appears via videoconference from Rapid City, SD.

Mr. Van Norman addresses the Court.

Mr. Marshall addresses the Court.

Mr. Jackley addresses the Court.

Mr. Van Norman addresses the Court.

Mr. Marshall addresses the Court.

Nothing further from the State.

Mr. Van Norman addresses the Court.

Statement by Mr. Moeller.

The Court will take the matter under advisement and will issue a written opinion.

11:15 AM Court in recess.